

UNITED STATES PATENT AND TRADEMARK OFFICE

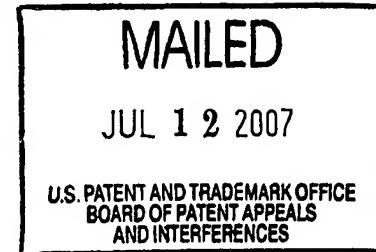
---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

---

*Ex parte* GUILLERMO SILVA

---



Application 10/765,193

---

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

---

This application was electronically received at the Board of Patent Appeals and Interferences (hereinafter the "Board") on June 19, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

***Derwent Publication***

On November 3, 2006, Appellant filed an Appeal Brief. On January 11, 2007, the Examiner entered an Examiner's Answer in response to Appellant's Brief. On page 2 of the Answer, section (8) under the heading of "Evidence Relied Upon," the Examiner relies upon Derwent Publication 26114A to Tayag in his rejection of claims on appeal. However, the Examiner has not provided a full-text translation of this said reference.

**CONCLUSION**

Accordingly, it is

**ORDERED** that the application is returned to the Examiner to resolve the following issues:

- (1) to provide a full-text translation of Derwent Publication 26114 A to Tayag, and to provide Appellant with copy of said translation;
- (2) to scan said translation into the Image File Wrapper; and,
- (3) for such further as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: *Patrick J. Nolan*  
PATRICK J. NOLAN  
Deputy Chief Appeals Administrator  
(571) 272-9797

PJN:clj

Albert Bordas, P.A.  
5975 Sunset Drive  
Suite 607  
Miami, FL 33143